

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ADAM GRAY,)
)
Plaintiff,)
)
v.) No. 18 CV 02624
)
CITY OF CHICAGO, et al.,) Chicago, Illinois
) May 25, 2023
Defendants.) 1:30 p.m.

TRANSCRIPT OF PROCEEDINGS - Trial

VOLUME 14

BEFORE THE HONORABLE EDMOND E. CHANG, and a Jury

APPEARANCES:

For the Plaintiff: LOEVY & LOEVY
BY: MR. JONATHAN I. LOEVY
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MS. JORDAN POOLE
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1 APPEARANCES (Continued):

2 For Defendant McInerney: NATHAN & KAMIONSКИ, LLP
3 BY: MR. SHNEUR Z. NATHAN
4 MS. NATALIE ADEEYO
5 MS. BREANA L. BRILL
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1 (Proceedings in open court. Jury out.)

2 THE CLERK: 18 C 2624, Gray versus City of Chicago.

3 THE COURT: Okay. Good afternoon. Let's get
4 appearances for today.

5 MR. LOEVY: Good afternoon, Your Honor. Jon Loevy,
6 Roshna Bala Keen, Jordan Poole, Elizabeth Wang for the
7 plaintiff.

8 MR. NATHAN: Good afternoon, Your Honor. Shneur
9 Nathan, Elizabeth Ek1, Natalie Adeeyo, Breana Brill, and Neha
10 Locke.

11 THE COURT: Okay. Good afternoon.

12 We did receive a note which says, "We have come to a
13 unanimous decision," signed by Ms. Lothe.

14 And so we'll bring the jury in.

15 MR. LOEVY: Your Honor, win, lose or draw, thanks for
16 all the work this month. I'm sure both sides appreciate all
17 the effort.

18 THE COURT: It is my job and privilege.

19 You can also thank Ms. Patel.

20 MR. NATHAN: Thank you.

21 (Jury in.)

22 THE COURT: Good afternoon, ladies and gentlemen.
23 Welcome back to the courtroom.

24 I'll state for the record that despite the
25 two-and-a-half-day break, the jury still walked in perfectly

1 sequenced to go right to their seats.

2 A JUROR: No switches.

3 THE COURT: All right. We understand that you have a
4 verdict. And based on my Sherlock Holmes deduction skills,
5 it's signed by Ms. Lothe, so I'm thinking you're the presiding
6 juror.

7 PRESIDING JUROR LOTHE: Yes.

8 THE COURT: In a moment, Ms. Lothe, I'm going to ask
9 you to hand the verdict to Fred, the court security officer,
10 and then he's going to hand it to me. And then what I will do
11 is publish the verdict, which means simply that I will read it
12 out loud here in open court.

13 After publishing the verdict, then the courtroom
14 deputy is going to poll the jury. What that means is that he
15 will ask you one by one to stand up, and he'll ask you, one by
16 one, "Was this and is this now your verdict?" Okay. So
17 publish and then poll.

18 All right. Ms. Lothe, if you'll do the honors.

19 (Tendering verdict.)

20 THE COURT: All right. I will publish the verdict.

21 The verdict reads as follows for Part 1, liability:

22 On Claim 1, for coerced confession, the jury finds
23 for the plaintiff as to Mr. Crescenzo and Mr. Pochordo.

24 On Claim 2, fabrication of evidence, the jury has
25 found for the plaintiff as to Mr. Crescenzo, who is the lone

1 defendant in that claim.

2 On Claim 3, the failure to disclose exculpatory or
3 impeachment evidence, the jury has found for the defendant as
4 to Nicholas Crescenzo, who was the sole defendant.

5 On Claim 4, unlawful detention, the jury has found
6 for the defendant, Mr. McInerney, who was the sole defendant
7 in that claim.

8 On Claim 5, conspiracy to violate federal
9 constitutional rights, the jury has found for the plaintiff as
10 to Mr. Crescenzo and then for the defendant as to
11 Mr. McInerney.

12 And in terms of the bases for the conspiracy, that
13 would be Claim 1, coerced confession, and Claim 2, fabricated
14 evidence.

15 On Claim 6, failure to intervene, the jury has found
16 for the plaintiff and against defendant Crescenzo and found
17 for defendant McInerney.

18 On Claim 7, for malicious prosecution, the jury has
19 found for the plaintiff as to Mr. Crescenzo and then for the
20 defendant as to Mr. McInerney.

21 On civil conspiracy, which is Claim 8, the jury has
22 found for the plaintiff for Mr. Crescenzo and then for the
23 defendant as to Mr. McInerney.

24 And then on the question of damages, the compensatory
25 damages are awarded in the amount of \$27 million.

1 On punitive damages, punitive damages is zero as to
2 Mr. McInerney.

3 The signature page does bear the signature of the
4 nine jurors and is dated for today.

5 All right. Mr. Wing, please poll the jury.

6 THE CLERK: Jean Nixon, was this and is -- please
7 stand. Was this and is this now your verdict?

8 JUROR NIXON: Yes.

9 THE CLERK: Thank you.

10 Yue Smith, was this and is this now your verdict?

11 JUROR SMITH: Yes.

12 THE CLERK: Thank you.

13 Susan Zeitz, was this and is this now verdict?

14 JUROR ZEITZ: Yes.

15 THE CLERK: Shonali Lothe, was this and is this now
16 verdict?

17 PRESIDING JUROR LOTHE: Yes.

18 THE CLERK: Leslie Neustadt, was this and is this now
19 your verdict?

20 JUROR NEUSTADT: Yes.

21 THE CLERK: Leondria Ozier, was this and is this now
22 your verdict?

23 JUROR OZIER: Yes.

24 THE CLERK: Veronica Marciano, was this and is this
25 now your verdict?

1 JUROR MARCANO: Yes.

2 THE CLERK: Don Peebles, was this and is this now
3 your verdict?

4 JUROR PEEBLES: Yes.

5 THE CLERK: Marissa Garapolo, was this and is this
6 now your verdict?

7 JUROR GARAPOLO: Yes.

8 THE CLERK: So say you all?

9 THE JURY: (By all) Yes.

10 THE COURT: All right. Ladies and gentlemen, thank
11 you for your careful attention and consideration of this case.

12 As I said at the beginning of this trial, we can't
13 operate the American system of justice without people like you
14 who are willing to participate. You took a role in government
15 over these last three weeks, and that's something to be very
16 proud of. So thank you for your service.

17 I do have very small tokens of appreciation in the
18 form of certificates for you. And so I do need to talk to the
19 lawyers for a bit, but I will ask you to -- yes, you can get
20 your phones back. I will ask you to just stay so that I can
21 give these to you, personally thank you. And then to the
22 extent you have any kind of constructive criticism about how
23 we operated, I'm always happy to hear that. All right.

24 So I'll see you in a minute.

25 (Jury dismissed.)

1 THE COURT: Okay. The usual post-trial motion
2 deadline, June 22; any response on July 20; and replies on
3 August 4.

4 And I don't need to set a status at the moment. I
5 might set a tracking status just to keep it on the calendar.

6 Okay. Anything else for the plaintiff?

7 MR. LOEVY: No, Your Honor.

8 THE COURT: The defense?

9 MR. NATHAN: No, Your Honor.

10 THE COURT: All right. Okay. Thank you.

11 MR. LOEVY: Your Honor, what is your policy on
12 contacting the jurors and not contacting the jurors?

13 THE COURT: The local rule, which is thou shalt not
14 contact the jury.

15 MR. LOEVY: Thank you.

16 Your Honor, can Mr. Gray thank you?

17 THE COURT: This is my job, so no need to thank me.

18 (Proceedings adjourned at 1:40 p.m.)

19 * * * * *

20 C E R T I F I C A T E

21 I, Jennifer S. Costales, do hereby certify that the
22 foregoing is a complete, true, and accurate transcript of the
23 proceedings had in the above-entitled case before the
Honorable EDMOND E. CHANG, one of the judges of said Court, at
Chicago, Illinois, on May 25, 2023.

24

25 /s/ Jennifer Costales, CRR, RMR, CRC